

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY
Caption in Compliance with D.N.J. LBR 9004-2(c)

Jonathan Schwalb, Esq.
Friedman Vartolo LLP
85 Broad Street, Suite 501
New York, New York 10004
212-471-5100
bankruptcy@friedmanvartolo.com

In Re:

Norma J Sierra

Case No.: 16-25577

Judge: Stacey L. Meisel

Chapter: 13

**APPLICATION FOR EXTENSION OR
EARLY TERMINATION OF LOSS MITIGATION PERIOD**

The undersigned is the Secured Creditor Attorney in this matter. On October 28, 2016, a Loss Mitigation Order was entered concerning:

Property: 74 Leslie Street, Newark, NJ 07108

Creditor: BSI Financial Services as successor to Federal National Mortgage Association

Pursuant to the Loss Mitigation Order, the Loss Mitigation Period will expire on December 21, 2018.

For the reason(s) set forth below, the Creditor hereby requests:

☐ An extension of the Loss Mitigation Period to _____.

☒ Early termination of the Loss Mitigation Period, effective Immediately.

Set forth the applicant's reason(s) for the above request:

The Estate of Rafael Sierra (Mortgager) was denied a loan modification for failure to return the Modification Packet. A copy of the denial letter is attached as "Exhibit A."

Dated: November 29, 2018

/s/ Jonathan Schwalb, Esq.
Applicant's signature

EXHIBIT A



314 S Franklin St / Second Floor
PO Box 517
Titusville, PA 16354
Toll Free 800-327-7861
Fax 814-217-1366
www.bsifinancial.com

July 24, 2018

[Sent Via DMM Portal]

ESTATE OF RAFAEL SIERRA
RALPH SIERRA
440 WEST ST STE 301
FORT LEE, NJ 07024

Property Address: 74-76 LESLIE ST
NEWARK, NJ 07108

Dear ESTATE OF RAFAEL SIERRA & RALPH SIERRA:

We previously requested additional information or documentation from you in support of your loss mitigation application and have not received those missing items in the time frame required. Therefore, since your application remains incomplete with no further progress, we have cancelled your request for an evaluation of your loss mitigation application.

1. Hardship letter, detailing the exact reason that prevents you from paying your mortgage(s) and information about your intentions to either keep or transition out of your property, wet signature required
2. Completed and Signed Borrower Assistance Form/financial worksheet (enclosed) completed by Crissy Sierra and Norma Sierra
3. Two (2) months of complete checking and savings account statements with beginning and ending balance (latest not more than 30 days old), with transaction history
4. Need updated two (2) months of the latest paycheck stubs with year-to-date earnings and deductions from every source of income from Crissy Sierra and Norma Sierra
5. Bankruptcy schedules, all schedules/ pages
6. Two (2) years of Tax returns 2017 and 2016 from Crissy Sierra, must be signed by the borrower(s)
7. One (1) year of tax return 2017, must be signed and dated by the Norma Sierra
8. Copy of current utility bill
9. Executorship or legal representative
10. Court order of judgment determining succession to real property
11. Trust documents Probate documents and copy of the last will and testament

Licensed as Servis One, Inc. dba BSI Financial Services.

BSI Financial Services NMLS # 38078. Customer Care Hours: Mon. - Fri. 8:00 am to 11:00 pm (ET) and Sat. 8:00 am to 12:00 pm (ET). If you have filed a bankruptcy petition and there is an "automatic stay" in effect in your bankruptcy case or you have received a discharge of your personal liability for the obligation identified in this letter, we may not and do not intend to pursue collection of that obligation from you personally. If either of these circumstances apply, this notice is not and should not be construed to be a demand for payment from you personally. Unless the Bankruptcy Court has ordered otherwise, please also note that despite any such bankruptcy filing, whatever rights we hold in the property that secures the obligation remain unimpaired.



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12. HOA statement, if applicable

If you have any questions regarding this notice, please call your Single Point of Contact SCOTT HANSEN at 1-888-738-5873 Ext. 6761 or you may contact our Customer Care Department toll free at 1-800-327-7861 Monday through Friday 8:00 a.m. - 11:00 p.m. (ET) and Saturday 8:00 a.m. - 12:00 p.m. (ET).

Sincerely,

Loss Mitigation Department
SCOTT HANSEN

BSI Financial Services
NMLS # 38078; # 1195811

This is an attempt to collect a debt. Any information obtained will be used for that purpose.

If an attorney represents you, please refer this letter to your attorney and provide us with the attorney's name, address and telephone number.

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Qualified Written Request - Notice of Error or Information Request

Under the Real Estate Settlement Procedures Act, a qualified written request is a written correspondence (other than notice on your payment coupon or other payment medium supplied by us) regarding the servicing of your loan which identifies your name, account number, and the specific reasons for the request, such as an error on your loan account or a request for information. Any qualified written request you wish to submit must be sent to:

BSI Financial Services
Attn: Qualified Written Requests
1425 Greenway Drive, Suite 400
Irving, TX 75038

Attention Servicemembers and Dependents

Servicemembers on active duty, or a spouse or dependent of such a servicemember, may be entitled to certain protections under the Servicemembers Civil Relief Act ("SCRA") regarding the servicemember's interest rate and risk of foreclosure. SCRA and certain state laws provide important protections for you, including prohibiting foreclosure under most circumstances. If you are currently in the military service, or have been within the last 12 months, AND joined after signing the Note and Security Instrument now in default, please notify BSI Financial Services immediately. When contacting BSI Financial Services, as to your military service, you must provide positive proof as to your military status. Servicemembers and dependents with questions about the SCRA should contact their unit's Judge Advocate, or their installation's Legal Assistance Officer. Homeowner counseling is also available at agencies such as Military OneSource (www.militaryonesource.mil) (800-342-9647) and Armed Forces Legal Assistance (<http://legalassistance.law.af.mil>), and through HUD-Certified housing counselors (<http://www.hud.gov/offices/hsg/sfh/hcc/hcs.cfm>). You can also contact us toll free at (800) 327-7861 if you have questions about your rights under SCRA.

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BSI Financial Services NMLS # 38078. Customer Care Hours: Mon. - Fri. 8:00 am to 11:00 pm (ET) and Sat. 8:00 am to 12:00 pm (ET). If you have filed a bankruptcy petition and there is an "automatic stay" in effect in your bankruptcy case or you have received a discharge of your personal liability for the obligation identified in this letter, we may not and do not intend to pursue collection of that obligation from you personally. If either of these circumstances apply, this notice is not and should not be construed to be a demand for payment from you personally. Unless the Bankruptcy Court has ordered otherwise, please also note that despite any such bankruptcy filing, whatever rights we hold in the property that secures the obligation remain unimpaired.

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In Re:

Norma J Sierra

Case No.: 16-25577

Chapter: 13

Judge: Stacey L. Meisel

**ORDER RESPECTING REQUEST FOR EXTENSION
OR EARLY TERMINATION OF THE LOSS MITIGATION PERIOD**

The relief set forth on the following page is hereby **ORDERED**.

The court having granted the Notice of Request for Loss Mitigation concerning the following property and creditor on October 28, 2016 :

Property: 74 Leslie Street, Newark, NJ 07108

Creditor: BSI Financial Services as successor to Federal National Mortgage Association

and a Request for

- ☐ Extension of the 90 day Loss Mitigation Period having been filed by _____,
and for good cause shown
- ☒ Early Termination of the Loss Mitigation Period having been filed by Secured Creditor,
and for good cause shown

It is hereby ORDERED that,

The Loss Mitigation Period is extended up to and including _____ .

The Loss Mitigation Period is terminated, effective Immediately .

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY

Caption in Compliance with D.N.J. LBR 9004-1(b)

Jonathan Schwalb, Esq.
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In Re:
Norma J Sierra

Case No.: 16-25577

Chapter: 13

Adv. No.: _____

Hearing Date: _____

Hon. Judge: Stacey L. Meisel

CERTIFICATION OF SERVICE

1. I, Theodore Weber :

☐ represent _____ in the this matter.

☒ am the secretary/paralegal for Jonathan Schwalb, Esq., who represents
BSI Financial Services in the this matter.

☐ am the _____ in the this case and am representing myself.

2. On November 29, 2018, I sent a copy of the following pleadings and/or documents
to the parties listed in the chart below.

- Application for Early Termination of Loss Mitigation Period

3. I certify under penalty of perjury that the above documents were sent using the mode of service
indicated.

Date: November 29, 2018

/s/ Theodore Weber
Signature

Name and Address of Party Served	Relationship of Party to the Case	Mode of Service
Norma J Sierra 74 Leslie St. Newark, NJ 07108	Debtor(s)	<input type="checkbox"/> Hand-delivered <input checked="" type="checkbox"/> Regular mail <input type="checkbox"/> Certified mail/RR <input type="checkbox"/> E-mail <input type="checkbox"/> Notice of Electronic Filing (NEF) <input type="checkbox"/> Other _____ (as authorized by the court *)
Scott E. Tanne Scott E. Tanne Esq. 4 Chatham Road Summit, NJ 07901	Debtor(s) Attorney	<input type="checkbox"/> Hand-delivered <input checked="" type="checkbox"/> Regular mail <input type="checkbox"/> Certified mail/RR <input type="checkbox"/> E-mail <input checked="" type="checkbox"/> Notice of Electronic Filing (NEF) <input type="checkbox"/> Other _____ (as authorized by the court *)
Marie-Ann Greenberg Chapter 13 Standing Trustee 30 Two Bridges Rd Suite 330 Fairfield, NJ 07004	Trustee	<input type="checkbox"/> Hand-delivered <input checked="" type="checkbox"/> Regular mail <input type="checkbox"/> Certified mail/RR <input type="checkbox"/> E-mail <input checked="" type="checkbox"/> Notice of Electronic Filing (NEF) <input type="checkbox"/> Other _____ (as authorized by the court *)
	U.S. Trustee	<input type="checkbox"/> Hand-delivered <input checked="" type="checkbox"/> Regular mail <input type="checkbox"/> Certified mail/RR <input type="checkbox"/> E-mail <input checked="" type="checkbox"/> Notice of Electronic Filing (NEF) <input type="checkbox"/> Other _____ (as authorized by the court *)